



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

October 27, 2015

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m. in the Council Chambers.

Council Members Present:

Debbie Goettel, Mayor; Pat Elliott; Edwina Garcia, Tom Fitzhenry; and Michael Howard.

Staff Present:

Steven L. Devich, City Manager; Kristin Asher, Public Works Director; John Stark, Community Development Director; Jay Henthorne, Public Safety Director/Police Chief; Karen Barton, Assistant Community Development Director; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

OPEN FORUM

None.

PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Fitzhenry, S/Howard to approve the minutes of the (1) Special Concurrent City Council, and HRA Worksession of October 13, 2015; and (2) Regular City Council Meeting of October 13, 2015.

Motion carried 5-0.

Item #1	ANNUAL MEETING WITH THE ARTS COMMISSION
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Alexander Dahl, Chair, presented the annual report.

Item #2	ANNUAL MEETING WITH THE FRIENDSHIP CITY COMMISSION
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Ahmad Ansari, Chair, presented the annual report.

Item #3	COUNCIL DISCUSSION <ul style="list-style-type: none">• Hats Off to Hometown Hits
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Council Member Garcia announced the following events:

- Environmental Book Club, Wood Lake Nature Center, November 3
- Unmanned aircraft video on the City's website
- Turkey Trailblazer Walk/Run, Wood Lake Nature Center, October 21
- VEAP Gala, October 30
- Great Clips fundraiser, Richfield American Legion, November 2

Council Member Garcia acknowledged the death of long-time Richfield resident, Lois DeSantis.

Council Member Fitzhenry announced the Beyond the Yellow Ribbon ceremony at Veterans Memorial Park on November 11.

Council Member Howard encouraged residents to vote on November 3.

Mayor Goettel announced the Optimists Club Spaghetti Dinner, Oak Grove Lutheran Church, November 3.

Item #4	COUNCIL APPROVAL OF AGENDA
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Mayor Goettel stated Consent Calendar Item 5H will be Item No. 6 to be considered separately.

M/Garcia, S/Fitzhenry to approve the agenda, as amended.

Motion carried 5-0.

Item #5	CONSENT CALENDAR
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- A. Consideration of the approval of a first reading of an amendment to the City's Zoning Ordinance. The proposed ordinance would conditionally permit micro-breweries, micro-distilleries and associated taprooms/cocktail rooms in a number of commercial and mixed use districts S.R. No. 165
- B. Consideration of the approval of a first reading of an amendment to the City's Liquor Ordinance in section 1202 that would permit micro-breweries, micro-distilleries, associated taprooms and cocktail rooms in the City S.R. No. 166
- C. Consideration of the approval of a resolution supporting acquisition of easements for the Nokomis- Minnesota River Regional Trail S.R. No. 167

RESOLUTION NO. 11131

A RESOLUTION OF SUPPORT FOR THE ACQUISITION OF EASEMENTS FOR THE INTERCITY REGIONAL TRAIL IN THE CITY OF RICHFIELD

This resolution appears as Resolution No. 11131.

- D. Consideration of the approval of a resolution to accept a grant of \$9,520.02 from the Office of Justice Programs for bullet proof vests S.R. No. 168

RESOLUTION NO. 11132

RESOLUTION APPROVING THE GRANT WITH THE U.S. DEPARTMENT OF JUSTICE,
OFFICE OF JUSTICE PROGRAMS AND RICHFIELD POLICE FOR
BULLETPROOF VESTS

This resolution appears as Resolution No. 11132.

- E. Consideration of the approval of a resolution authorizing acceptance of Office of Traffic Safety (OTS) funds for a four-year grant to fully fund an officer and fully equipped squad car dedicated for DWI enforcement in Richfield S.R. No. 169

RESOLUTION NO. 11133

RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY/POLICE TO
ACCEPT GRANT MONIES FROM THE OFFICE OF TRAFFIC SAFETY IN THE AMOUNT OF
\$123,702 OR A LESSER AMOUNT, AS AWARDED BY THE DEPARTMENT OF PUBLIC
SAFETY, TO FUND A POLICE OFFICER AND FULLY EQUIPPED SQUAD DEDICATED TO
DWI ENFORCEMENT FOR FOUR YEARS

This resolution appears as Resolution No. 11133.

- F. Consideration of the approval of the renewal of the contract with Chief's Towing, Inc., for Public Safety towing services for December 1, 2015 through November 30, 2016 S.R. No. 170
G. Consideration of the approval of a resolution authorizing the lawful gambling premises permit for Richfield Lions Club to conduct lawful gambling at the Minneapolis-Richfield American Legion Post #435, 6501 Portland Avenue South S.R. No. 171

RESOLUTION NO. 11134

A RESOLUTION APPROVING THE LAWFUL GAMBLING PREMISES PERMIT
APPLICATION FOR THE RICHFIELD LION'S CLUB TO CONDUCT LAWFUL GAMBLING AT
THE MINNEAPOLIS-RICHFIELD AMERICAN LEGION POST #435 AT
6501 PORTLAND AVENUE SOUTH

This resolution appears as Resolution No. 11134.

- H. Moved to Item 6.

M/Goettel, S/Fitzhenry to approve the Consent Calendar, as amended.

Motion carried 5-0.

Item #6	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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**5H. CONSIDERATION OF THE APPROVAL OF A FIRST READING OF AN ORDINANCE
AUTHORIZING THE CONVEYANCE OF PROPERTY OWNED BY THE CITY OF RICHFIELD
TO THE RICHFIELD HOUSING AND REDEVELOPMENT AUTHORITY S.R .NO. 172**

Mayor Goettel presented Staff Report No. 172. She stated the second reading will be conducted on December 8, 2015.

M/Goettel, S/Fitzhenry to approve the first reading of an ordinance authorizing the conveyance of property owned by the City of Richfield to the Richfield Housing and Redevelopment Authority.

Motion carried 5-0.

Item #7	PUBLIC HEARING REGARDING THE APPROVAL OF NEW ON-SALE WINE AND 3.2 PERCENT MALT LIQUOR LICENSES FOR MINNESOTA JUNIOR HOCKEY GROUP, LLC D/B/A MINNESOTA MAGICIANS, LOCATED AT THE RICHFIELD ICE ARENA, 36 EAST 66TH STREET S.R. NO. 173
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Council Member Garcia presented Staff Report No. 173.

City Manager Devich stated that the special legislation allows only one liquor license at the Ice Arena. Currently, Champps holds the license through the end of the year at the Ice Arena. The City Council is now considering issuing a license to allow the Magicians to sell liquor. In order to grant the Magicians a license, the City Council needs to be assured that only one entity will be serving liquor at the Ice Arena. The City is granting the license but the contractual agreement and obligation between the Magicians and Champps is their own responsibility.

City Attorney Tietjen explained that up to today, City staff believed Champps and the Magicians were discussing this issue but that does not appear to be the case and staff does not know if there is an agreement in place between the two entities. If the City Council approves the license for the Magicians, it should be conditioned upon only one entity serving liquor.

Ms. Tietjen explained options including Champps continuing their license to serve through the end of the year or approve the license for the Magicians with conditions such as an agreement to terminate liquor sales by Champps, or the City could revoke Champps license.

Council Member Fitzhenry asked if the City Council's decision could be delayed until an agreement from both parties is provided.

Council Member Elliott suggested the City Council provisionally approve the Magician's license subject to review by the City Attorney.

Kevin Ingvalson, Minnesota Magicians, stated the Magicians wanted to obtain the liquor license in case something happened to the Champps relationship and the Magicians needed options to move forward. He said when the Magicians approached City staff about obtaining a liquor license, they were not aware that only one entity could have a liquor license. He added that if the license is approved, the Magicians will begin serving liquor. He added there is a verbal agreement with Champps but no written contract, and that the Magicians would discuss the serving of liquor at the Ice Arena with Champps.

Council Member Fitzhenry questioned the Magicians having dram shop insurance and training to serve liquor.

Jarrett Ritenour, Champps, stated that they were not aware of tonight's meeting until this morning. He said Champps is open to discussion with the Magicians and wants to keep the partnership.

City Attorney Tietjen stated a condition of issuing the license to the Magicians could include submittal of a written agreement to limit the serving of liquor by one entity.

M/Goettel, S/Fitzhenry to close the public hearing.

Motion carried 5-0.

M/Fitzhenry, S/Howard to table City Council action on the issuance of a liquor license to the Minnesota Junior Hockey Group, LLC until a written agreement between Champps and the Minnesota Magicians is provided to City staff stating both parties agree to one entity selling liquor at the Richfield Ice Arena at which time consideration of the license will be placed on the next City Council Meeting agenda.

Motion carried 4-1. (Elliott oppose)

Item #8	PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FINAL PLAT FOR LAND LOCATED AT THE CORNER OF 76TH STREET AND SHERIDAN AVENUE. THIS LAND HAS BEEN APPROVED FOR CONSTRUCTION OF FIVE TOWNHOMES S.R. NO. 174
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Council Member Elliott presented Staff Report No. 174.

Eden Spencer, Greater Metropolitan Housing Corporation, stated the permit was issued today so construction will begin.

M/Elliott, S/Goettel to close the public hearing.

Motion carried 5-0.

M/Elliott, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11135

RESOLUTION GRANTING APPROVAL OF A PLAT FOR SHERIDAN VILLAS ADDITION

Motion carried 5-0. This resolution appears as Resolution No. 11135.

Item #9	PUBLIC HEARING REGARDING THE APPROVAL OF THE SECOND READING OF AN ORDINANCE AMENDING SECTIONS 405, 406, 407 AND 408 OF THE RICHFIELD CITY CODE TO REMOVE/CORRECT OUTDATED TERMINOLOGY AND REFERENCES, AS WELL AS CLARIFY LANGUAGE AND INTENT, AND UPDATE STATE CODE REFERENCES, ALSO APPROVAL OF THE RESOLUTION FOR SUMMARY PUBLICATION OF SAID ORDINANCE S.R. NO. 175
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Council Member Howard presented Staff Report No. 175.

M/Elliott, S/Goettel to close the public hearing.

Motion carried 5-0.

M/Howard, S/Elliott that this constitutes the second reading of Bill No. 2015-12, amending the Richfield City Code related to Housing Maintenance: amending Subsection 405.04, Subdivisions 2; Subsection 405.05, Subdivision 8; Subsection 405.07, Subdivision 2 (a) and (b) and Subdivision 3 (a); Subsection 405.11, Subdivision 6; Subsection 405.13, Subdivision 5; Subdivision 405.15, Subdivision 3; Subsection 405.17; Subsection 406.01, Subdivision 3; Subsection 407.09, Subdivisions 2, 3, 4, and 5; Subsection 407.13, Subdivisions 1(b) and 1(d); Subsection 408.01, Subdivision 2 (b) and Subdivision 6; and repealing Subsection 405.17 (b) (c) (d) (e) (f) that it be published in the official newspaper, and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11136

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE AMENDING SUBSECTIONS 405.04, SUBDIVISIONS 2; SUBSECTION 405.05, SUBDIVISION 8; SUBSECTION 405.07, SUBDIVISION 2 (A) AND (B) AND SUBDIVISION 3 (A); SUBSECTION 405.11, SUBDIVISION 6; SUBSECTION 405.13, SUBDIVISION 5; SUBDIVISION 405.15, SUBDIVISION 3; SUBSECTION 405.17; SUBSECTION 406.01, SUBDIVISION 3; SUBSECTION

407.09, SUBDIVISIONS 2, 3, 4, AND 5; SUBSECTION 407.13, SUBDIVISIONS 1(B) AND 1(D);
SUBSECTION 408.01, SUBDIVISION 2 (B) AND SUBDIVISION 6; AND REPEALING
SUBSECTION 405.17 (B) (C) (D) (E) (F) AND (G) RELATED TO HOUSING MAINTENANCE

Motion carried 5-0. This resolution appears as Resolution No. 11136.

Item #10	CONSIDERATION OF A RESOLUTION APPROVING A PRELIMINARY DEVELOPMENT AGREEMENT AND RIGHT-OF-ENTRY AGREEMENT BETWEEN THE CITY OF RICHFIELD AND INLAND PARTNERS, LLC FOR DEVELOPMENT OF THE CEDAR POINT SOUTH AREA S.R. NO. 176
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Council Member Fitzhenry presented Staff Report No. 176.

Kent Carlson, Anderson Companies, presented the conceptual plans for the development and requested the City Council support the resolution.

M/Fitzhenry, S/Howard that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11137

RESOLUTION APPROVING AGREEMENTS WITH THE CITY OF RICHFIELD AND INLAND DEVELOPMENT PARTNERS, LLC

Motion carried 5-0. This resolution appears as Resolution No. 11137.

Item #11	CITY MANAGER'S REPORT
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None.

Item #12	CLAIMS AND PAYROLLS
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M/Fitzhenry, S/Elliott that the following claims and payrolls be approved:

U.S. Bank		10/27/15
A/P Checks: 244878-245197	\$	1,003,051.01
Payroll: 114154-114479	\$	575,865.76
TOTAL	\$	1,578,916.77

Motion carried 5-0.

OPEN FORUM

None.

Item #13	ADJOURNMENT
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The City Council Meeting was adjourned by unanimous consent at 8:20 p.m.

Date Approved: November 10, 2015

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager